THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

THE HON'BLE SRI JUSTICE D. APPA RAO

–

W.A.No. 132 of 2006

Between:

K. Satyanarayana

…. Appellant

and

The Food Corporation of India, rep. By its Executive Director(Zone)/Zonal Manager, Zonal Office, Chennai.

…. Respondent.

THE HON'BLE SRI JUSTICE B. PRAKASH RAO

AND

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–

W.A.No. 132 of 2006

JUDGMENT: *(per the Hon'ble Sri Justice B. Prakash Rao)*

Heard Sri Prakash Reddy, the learned senior counsel for the appellant and Sri

E. Manohar, the learned senior counsel appearing for the respondent and at their request the main appeal itself is taken up for disposal at the stage of admission.

The unsuccessful petitioner is the appellant herein, who seeks to assail the order, dated 31.01.2006, passed by the learned Single Judge, dismissing W.P.No.27356 of 2005 which was filed, *inter alia*, seeking *mandamus* against the orders of transfer, dated 13.12.2005, from Nizamabad to Hyderabad.

The main ground urged in the writ petition is that in view of the fact that the appellant was posted at Nizamabad hardly a year back and also in view of the fact that he will attain the age of superannuation by February, 2007, the appellant ought not to have been disturbed. The respondent herein sought to sustain the order of transfer, mainly on the ground that it would be at the administrative exigency and further the services of the appellant are required at Hyderabad rather than at Nizamabad and therefore he was transferred to Hyderabad.

The learned Single Judge, by taking into consideration the submissions made on either side, did not find favour with the appellant herein, on the ground that the Courts would not interdict the proceedings especially in respect of transfers.

Having considered the submissions in detail, in this appeal, and on perusal of the material available on record, we are in entire agreement with the findings arrived at by the learned Single Judge. It is also represented that another employee who was posted in Nizamabad has taken the charge and the appellant was already relieved.

Be that as it may, in the event of any practical difficulty or inconvenience as such forthcoming, it is always open for the appellant to file a representation before the authorities concerned or such other higher authorities for the redressal. On receipt of such representation, the authorities concerned shall consider the same in a proper perspective and pass necessary orders in accordance with law. We do not find any merit in the writ appeal.

Subject to the above, the writ appeal is dismissed. There shall be no order as to costs.

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(B.PRAKASH RAO.J)

(D. APPA RAO.J)

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Dt.14.02.2006